

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES HARRY HODSON, III,	)	
Petitioner,	)	
	)	
	)	C.A. No. 05-92 Erie
	)	
MARILYN BROOKS, et al,	)	
Respondents.	)	

**ORDER**

AND NOW, this 1st day of December, 2006;

IT IS HEREBY ORDERED that an evidentiary hearing in the above-entitled action is scheduled for Thursday, December 21, 2006, at 10:00 a.m. in Courtroom B, United States District Court, 17 South Park Row, Erie, Pennsylvania. The Clerk of Court is directed to prepare the writ of habeas corpus ad testificandum.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

s/Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
CHIEF U.S. MAGISTRATE JUDGE

cc: all parties of record (lw)